IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO: 7047 of 1995

Between:

1 Sama Yadi Reddy S/o Ram Reddy
R/o Champapet (v) Saroornagar Mandal
Ranga Reddy District.

2 Sama Ram Reddy (died per LRs.) S/o Ram Reddy
R/o Champapet (v) Saroornagar Mandal
Ranga Reddy District.

3 Sama Pratap Reddy S/o Narsa Reddy
R/o Champapet (v) Saroornagar Mandal
Ranga Reddy District.

4 Sama Janga Reddy S/o Narsa Reddy
R/o Champapet (v) Saroornagar Mandal
Ranga Reddy District.

5 Smt. Sama Sujatha, W/o Late Sri Sama Ram Reddy,
R/o Champapet Village, Saroornagar Mandal, Ranga Reddy District

6 Sama Sridhar Reddy, S/o Late Sri Sama Ram Reddy,
R/o Champapet Village, Saroornagar Mandal, Ranga Reddy District

7 Sama Srinivasa Reddy, S/o Late Sri Sama Ram Reddy,
R/o Champapet Village, Saroornagar Mandal, R.R.District

(Petitioners 5 to 7 brought on record as L.R.s of deceased petitioner as per C.O. dated 02/09/2004 in WPMP 19878/2004)

..... PETITIONERS

AND

1 The District Revenue Officer

Ranga Reddy District at Kairatabad Hyderabad.

2 V. Manmohan Reddy @ Mohan Reddy (died)

per LRs S/o Yella Reddy, R/o Barkatpura, Hyderabad.
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3 V. Bheem Reddy S/o late Sidda Reddy
H.No. 16-12-212, Malakpet, Hyderabad.

4 V. Sudershan Reddy S/o late Sidda Reddy
H.No.12-1-387/55 Saidabad Colony, Hyderabad.

5 S. Hamsamma W/o. Narsimha Reddy
R/o Kandukur (v) & (M) Ranga Reddy District.

6 Suvarna Devi W/o Mahender Reddy
R/o Nakoor (V) Gajwel Taluk, Medak District

7 Pramila Devi W/o M.Harinath Reddy
R/o Hyderguda, Hyderabad.

8 V. Saikala W/o Madhusudhan Reddy
R/o Barkatpura, Hyderabad.

9 P. Sukeshini W/o P. Rangareddy
R/o Saleemnagar Colony, Hyderabad.

10 V. Ratnamma W/o Late Sidda Reddy
R/o Karmanghat (v) Saroornagar Mandal, R.R.Dist.,

11 Dr. V. Vasumathi Reddy W/o. late V. Manmohan reddy
C/o. Shalini Hospital, Barkatpura, Hyderabad

12 Dr. V. Asheesh Reddy S/o. late V. Manmohan reddy
C/o. Shalini Hospital, Barkatpura, Hyderabad

(Respondents 11 & 12 brought on record as LRs of deceased R2 as per court order dt. 28-10-2004

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or writs, order or direction, declaring and setting aside the order dt.20-3-1995 passed in Case No.B1/4248/94 on the file of the first respondent as illegal, arbitrary and without jurisdiction and award Costs.

Counsel for the Petitioners: MR. K.RAGHUVEER REDDY

Counsel for the Respondent No.1: GP FOR REVENUE

Counsel for the Respondent Nos. 2 to 4: Mr. P. Pratap Reddy.

Counsel for the Respondent Nos. 5 to 12: None appears.

The Court made the following O R D E R:

The order dated 20-03-1995 passed by the District Revenue Officer, Ranga Reddy District, has been challenged in this writ petition. The only ground, which is agitated to challenge the order is that the District Revenue Officer passed the order under Section 15(2) of the Andhra Pradesh (Telangana Area) Record of Rights in Land Regulations, 1358-F on 20-03-1995, whereas the said Act had been repealed by the Andhra Pradesh Record of Rights in Lands and Pattedar Pass Books Act, 1971. This legal position is not controverted even by learned counsel for the respondents. Since the order was passed under a repealed Act, therefore, this act was done absolutely without jurisdiction.

Accordingly, writ petition is allowed. Impugned order is quashed. The respondents are at liberty to proceed in accordance with law, if so advised. No order as to costs.

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(Bilal Nazki, J)

20th January, 2005.

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The Rule nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Thursday, the Twentieth day of January, Two Thousand and Five.

To

1 The District Revenue Officer
Ranga Reddy District at Kairatabad Hyderabad.

2 Two CCs to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

3 Two CD copies.